

grossed Bills have carefully examined and compared

Senate bill No. 334, A bill to be entitled "An Act to amend Sections 1, 3 and 4 of Chapter 117 of the Acts of the Regular Session of the Thirty-first Legislature, being an act entitled 'An Act to define and regulate the practice of professional nursing, create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications, to provide for their proper registration and for the revocation of certificates and to fix suitable penalties for the violation of this Act,' and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

#### PETITIONS AND MEMORIALS.

By Lieutenant Governor Davidson:

Letter from the Texas Hardware Jobbers' Association, the Texas Retail Hardware Dealers' Association and Retail Saddlery Dealers' Association, in convention assembled, on the Battlefield of San Jacinto, as follows:

Dallas, Texas, March 3, 1911.

The Texas Hardware Jobbers' Association, the Texas Retail Hardware Dealers' Association and Retail Saddlery Dealers' Association, in joint convention assembled on the Battlefield of San Jacinto to the number of 500, drawn from all parts of this great State, do hereby give our hearty and unanimous indorsement to every appropriation made for the beautification of the battlefield, and do most earnestly memorialize the Legislature to make liberal appropriation for the continued improvements on this hallowed ground, whereon was won by Texan valor a victory which gave Texas to the world and covered this field with a mantle of fadeless glory, patriotism, State pride and admiration for her deeds, and unselfish sacrifice, demand that every appropriation requested by the commission in charge of the field, should be made by unanimous vote and that every bill providing the same should receive immediate executive approval. Yours truly,  
TEXAS HARDWARE AND IMPLEMENT ASSOCIATION.

HENRY MART, Secretary.

#### LETTER FROM GOVERNOR HARMON.

The following letter was read to the Senate:

Columbus, O., March 1, 1911.

To the Honorable, the Senate and House of Representatives, Austin, Texas.

Sirs: An invitation from a sovereign always has the force of a command, and I should promptly obey that of imperial Texas, with which she honors me through your joint resolution, but for a previous command still in course of performance from her sister Ohio.

I am not vain enough to think my State could not get on without me for a while. Perhaps the members of the General Assembly think that I might well be spared now and then. But, unfortunately, our Constitution does not permit me to turn my job over to my very competent lieutenant, unless I am disabled or dead, and I am not willing to admit I am either.

So, during our pending most important session, the first in twenty years for which men of my political faith are responsible, I am in duty bound, both to the party I represent and to the people I serve, to remain at my post. And I know Texans too well not to be certain that, while they would be polite and hospitable, as always, they would in their hearts feel no welcome if I should go to them as a deserter.

By your invitation and expression of esteem and confidence you have done me a high honor which I shall ever cherish. I realize my loss of the inspiration and encouragement to better service which I should gain from meeting you, but I find consolation in the hope that the pleasure and profit of a visit are only deferred and not lost.

With most sincere thanks and assurances of esteem, I have the honor to be

Most respectfully yours,

JUDSON HARMON.

#### THIRTY-SEVENTH DAY.

Senate Chamber

Austin, Texas,

Monday, March 6, 1911.

The Senate met pursuant to ad-

journalment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present, the following Senators answering to their names:

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.

Absent.

Terrell, McLennan

Prayer by Rev. Dr. Bradfield of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Perkins, the same was dispensed with.

#### EXCUSED.

On account of important business: Senator Real, for non-attendance upon the Senate last Friday and Saturday, on motion of Senator Ward.

Senator Terrell of McLennan, for today and tomorrow, on motion of Senator Ward.

On account of sickness in family:

Senator Johnson, for non-attendance upon the Senate from last Wednesday noon until Saturday, on motion of Senator Perkins.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Vaughan:

Resolved, By the Senate of Texas, That the thanks, not only of the people of Texas, but of the entire country, are due to Senator Charles A. Culberson of Texas for his patriotic watchfulness that discovered, and for his prompt and faithful action which prevented the success of the effort recently made in the United States Senate, to donate \$25,000.00 of the people's money to Wm. Lorimer, who occupies a seat in that body from the

State of Illinois, the circumstances attending the obtaining and holding of which have so shocked the public conscience.

The resolution was read and Senator Hudspeth moved to table the resolution. The motion to table was adopted by the following vote:

Yeas—13.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Watson.
Hudspeth.	Weinert.
Hume.	Willacy.
Meachum.	

Nays—12.

Collins.	Murray.
Greer.	Paulus.
Johnson.	Real.
Kauffman.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.

Present—Not Voting.

Carter.	Terrell, Wise.
McNealus.	Warren.
Peeler.	

Absent—Excused.

Terrell, McLennan.

The above roll was called and Senators Kauffman and Astin, who were absent at the time the roll was called, and after the result had been made known, came in and asked to vote, Senator Kauffman voting "nay" and Senator Astin voting "yea." Unanimous consent was granted. Senator Weinert was also given unanimous consent to vote.

#### REASONS FOR VOTING.

We vote to table the resolution because we do not believe the resolution is one that should be considered by this body.

STURGEON,  
BRYAN,  
RATLIFF.

I decline to vote on the resolution for the reason that, while portions of it meets with my approval, there are other portions which virtually condemn the United States Senate, and which, unless I had all the facts be-

fore me, I am unwilling to do. I decline to vote for the further reason that I do not approve of action by this body on such resolutions as this.

WARREN.

#### SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Surgeon:

Whereas, the Honorable H. D. McDonald, Ex-Senator of Texas, is now in the gallery, therefore,

Be it Resolved by the Senate, That he be invited to address the Senate and be extended the privilege of the floor.

STURGEON,  
MEACHUM.

The resolution was read and adopted.

The chair appointed Senators Sturgeon, Meachum and Ratliff as a committee to escort Mr. McDonald to the President's stand. After being introduced Mr. McDonald addressed the Senate.

#### SENATE CONCURRENT RESOLUTION NO. 12.

(By Unanimous Consent.)

The Chair laid before the Senate, which was read,

Senate Concurrent Resolution No. 12, providing for the creation of a commission to investigate and report back to the next session of the Legislature upon the question of wharf and terminal facilities at all Texas ports; to investigate and report the ownership of wharves and terminals, the charges and discrimination made by same, the advisability of purchasing wharves and terminals by municipalities, and the means of purchasing same, and making an appropriation to carry out the provisions of this Resolution.

Senator Meachum offered the following amendment, which was read and adopted:

Amend the resolution so as to provide the Lieutenant Governor shall appoint the committee from the Senate and the Speaker of the House on the part of the House.

WATSON,  
MEACHUM.

The resolution was ordered engrossed.

#### HOUSE BILL NO. 142—FREE CONFERENCE COMMITTEE REPORT REJECTED.

Senator Hudspeth here moved to rescind the vote by which the Senate adopted the Free Conference Committee report on House bill No. 142.

The motion prevailed.

Senator Hudspeth then moved that the Senate reject the Free Conference Committee report on House bill No. 142.

The motion prevailed.

#### FREE CONFERENCE COMMITTEE REPORT.

By Senator Hudspeth:

Austin, Texas, March 1, 1911.

Hon. A. B. Davidson, President of the Senate, and Hon. Sam Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed upon the part of the Senate and House to consider Senate bill No. 43, beg leave to report that we have adjusted our differences upon said bill, and recommend that the same be amended to read as follows:

#### A BILL

#### To be Entitled

"An Act to amend Section 10, Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature, as amended by Chapter 114, Acts of Thirty-first Legislature, so as to extend the time within which and prescribe conditions upon which domestic and foreign corporations which are now in default in payment of franchise taxes and penalties may pay same and have their right to do business revived by extending until the first day of September, A. D. 1911, the time during which corporations embraced within the terms of said Act may pay to the Secretary of State franchise taxes and penalties referred to in said Act, and have their rights to do business revived, and providing for forfeiture of the charters of such domestic corporations as may fail so to do; and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 10, of Chapter 23 of the General Laws of the First Called Session of the Thirtieth Legislature, as amended by Chapter 114, Acts of Thirty-first Legislature, be amended so as to read hereafter as follows:

Sec. 10. Every private corporation heretofore chartered under the laws of this State, whose charter, and every foreign corporation whose right to do business within this State, has heretofore been forfeited as provided by law, solely and only because of its failure to pay, within the time provided by law, any franchise tax or taxes and penalty or penalties prescribed by law for failure to pay such tax or taxes when due, shall be permitted and authorized to pay to the Secretary of State on or before the first day of September, A. D., 1911, the aggregate amount of its franchise tax or taxes and the penalty or penalties thereon as provided by law, calculated for the entire period of time beginning with the day upon which the first unpaid franchise tax payment became due and ending with the day of such payment; and upon such payment being made to the Secretary of State, he shall cancel such previous forfeiture of the right of such corporation to do business within this State and shall indorse upon the margin of the record kept in his office relating to such corporation the word 'Revived' and the date of such revival. Failure of any such domestic corporation to pay such aggregate amount on or before the first day of September, A. D., 1911, shall constitute sufficient grounds for the forfeiture by judgment of any court of competent jurisdiction of the charter of such domestic corporation; provided that none of the provisions of this section shall apply to any corporation whose right to do business within this State or whose charter may have been legally forfeited for any other reason than that of failure to pay such franchise tax or taxes and such penalty or penalties."

Section 2. The fact that many corporations have, by mere oversight, neglected to pay when due the franchise tax prescribed by law, by reason of which failure their rights to do business in this State have been forfeited, although their rights to corporate existence continue unimpaired, many of which corporations are desirous of paying up back fran-

chise taxes and penalties and of having their rights to do business revived, if the Statutes be so amended as to permit, creates an emergency and an imperative public necessity requiring that the constitutional rule providing that bills shall be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted."

MEACHUM,  
MURRAY,  
STURGEON,  
COLLINS.  
ASTIN,

On the part of the Senate.

MINTON,  
RUCKS,  
HAMILTON  
of Childress.  
DAVIS.

BROUGHTON.

On the part of the House.

The above Free Conference Committee report was read and adopted by the following vote:

Yeas—28.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, Wise.
Johnson.	Ward.
Kauffman.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

Nays—1.

Townsend.

Present—Not Voting.

Vaughan.

Absent—Excused.

Terrell, McLennan

SENATE BILL NO. 100—COMMITTEE REPORT ON.

Senator Willacy, Chairman of the Finance Committee, reported the General Appropriation bill from the committee.

Senator Murray moved that the President of the Senate and Speaker of the House be authorized to have additional copies of the House Appropriation bill printed for the use of the Senate, which motion was adopted. Later, however, the motion was reconsidered, and the bill was directed to take its usual course.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has rescinded its action on adopting the report of the Free Conference Committee on House bill No. 142 and refused to adopt the report of the Free Conference Committee on same.

Adopted the Free Conference Committee report on Senate bill No. 43 by the following vote: Yeas 90, nays 7.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### SIMPLE RESOLUTION.

By Senator Sturgeon:

Whereas, The Hon. Ed H. McCuiston, the mayor of Paris, Texas, and the promoter and builder of the first abitor in the United States, the most progressive and up to date mayor of Texas, is in the gallery; therefore, be it

Resolved, That he be invited to address the Senate.

The resolution was read and adopted.

The Chair appointed Senators Sturgeon, Ratliff and Vaughan as a committee to escort Mr. McCuiston to the President's stand. After being introduced, Mr. McCuiston addressed the Senate briefly.

#### SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir. I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 577, A bill to be entitled "An Act to grant a special charter to the city of Taylor, Williamson county, Texas, to provide a commission

form of government; to define its powers and prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILLS AND RESOLUTIONS.

By Senator Johnson:

Senate bill No. 355, A bill to be entitled "An Act to create a more efficient road system for Jack county, Texas, and making the county commissioners of said county ex officio road overseers, etc.

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Collins:

Senate bill No. 356, A bill to be entitled "An Act to create a more efficient road system for Hardin county, Texas, and making county commissioners of said county ex officio road commissioners, etc.

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Hudspeth:

Senate bill No. 357, A bill to be entitled "An Act to validate the organization of Prairie View Common School District No. 13, in Uvalde county, Texas, and providing that no person or property within said District No. 13 shall be relieved or released from any existing debt or liability.

Read first time and referred to Committee on Educational Affairs.

By Senator Townsend:

Senate bill No. 358, A bill to be entitled "An Act to amend Section 7 of Senate bill No. 12, passed at the First Called Session of the Thirty-first Legislature entitled 'An Act providing for the appointment of official stenographers for district and county courts, county courts at law by the judges thereof, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of making up and filing statement of facts and bills of exception in cases tried in such courts, and repealing Chapter 24 of the Acts of the First Called Session of the Thirtieth Legislature of Texas, and all

other laws and parts of laws in conflict herewith, and declaring an emergency,' so that said Act shall authorize the extension of the time in which statements of facts and bills of exceptions may be filed in cases tried at terms of courts that may last longer than eight weeks by orders made in vacation, and declaring an emergency."

Read first time and referred to Committee on Judiciary No. 1.

By Senator Willacy:

Senate bill No. 359, A bill to be entitled "An Act to encourage irrigation mining, milling, manufacturing, the supplying of water to or the construction of waterworks for cities and towns and stock raising, and to provide for the acquisition of the right to collect, store, conserve, preserve, make fit for use, divert and use the water of any natural stream, canyon, ravine, depression, water shed, arroya, creek, arm of the Gulf of Mexico, or inlets thereof or any of the salty water bays, and authorizing the purchase, construction, maintenance and operation of bridges, dams, dikes, causeways, canals, ditches, flumes, storage reservoirs, lakes, wells feeders and laterals and authorizing the owning, holding, controlling and disposing of the water collected, stored, conserved, made fit for use or impounded, and to charge tolls for the use of same; authorizing the formation of corporations for said purposes; giving said corporations the right of eminent domain; authorizing the sale of the islands of the arms of the Gulf of Mexico or inlet thereof, and the salty water bays, and certain lands under and adjoining the shallow waters of the arms of the Gulf or inlets thereof and the salty water bays, and providing for the disposition of the funds arising from the said sales, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

By Senator Peeler (by request):

Senate bill No. 360, A bill to be entitled "An Act to amend Section 1 of Chapter 35 of the General Laws of the Twenty-fifth Legislature of the State of Texas, being entitled 'An Act to create a more efficient road system for Travis county, in the State of Texas, prescribing certain duties of road commissioner, relating to public roads of Travis county, and fixing salary of road commissioners.

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Peeler (by request):

Senate bill No. 361, A bill to be entitled "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purpose of securing for said city the construction of a dam across the Colorado river at or near said city, in order to secure a more economical and satisfactory water, light and power system for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Willacy:

Senate bill No. 362, A bill to be entitled "An Act authorizing the purchase, construction, maintenance and operation of combination bridges, dams, dikes, causeways and roadways in, over and across any natural stream, arm of the Gulf of Mexico, or inlet thereof, or any of the salt water bays wholly within the limits of the State of Texas, for the purpose of providing a causeway, roadway or highway for vehicles, teams, pedestrians, railroads and for every other character of inland transportation; authorizing the formation of corporations for said purposes with the right to charge for the use of same; establishing three mile limit and giving the right of eminent domain; authorizing contracts with structures and authorizing corporations contracting for right-of-way-upon or use of said structure, to issue and sell bonds therefor under regulation of the Railroad Commission, authorizing counties to purchase a county roadway across said structure and to issue bonds for same on taxation, and declaring an emergency."

Read first time and referred to Committee on Mining and Irrigation.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had referred, after its caption had been read, the following House bill:

House bill No. 577, referred to Committee on Towns and City Corporations.

## SIMPLE RESOLUTION.

By Senator Cofer:

Whereas, it has come to the knowledge of the Senate that J. C. Riggs, the father-in-law of Senator W. A. Johnson, has been called by death from his earthly labors to his everlasting reward after a life of usefulness and devotion to his family; therefore, be it

Resolved, by the Senate, That we extend to Senator W. A. Johnson and his family our sincere condolence because of the loss of their father, and in this dark hour they have our tenderest sympathy.

Meachum, Collins, Adams, Astin, Bryan, Carter, Greer, Hume, Kauffman, Lattimore, Mayfield, McNealus, Murray, Paulus, Peeler, Real, Sturgeon, Terrell, McLennan, Terrell of Wise, Townsend, Vaughan, Cofer, Perkins, Watson, Hudspeth, Ratliff, Ward, Warren, Weinert, Willacy.

The resolution was unanimously adopted by a rising vote.

## MOTION TO RESCIND VOTE.

Senator Vaughn here moved to rescind the vote by which a simple resolution, by himself, relating to United States Senator Culberson, which was introduced early during the morning session, was tabled.

(Senator Meachum in the chair.)

## HOUSE BILL NO. 385.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 385, A bill to be entitled "An Act to create a more efficient road law for Bee county, Texas."

The bill was read third time and passed by the following vote:

Yeas—29.

Adams.  
Astin.  
Bryan.  
Carter.  
Cofer.  
Collins.  
Greer.  
Hudspeth.  
Hume.

Johnson.  
Kauffman.  
Lattimore.  
Mayfield.  
McNealus.  
Meachum.  
Murray.  
Paulus.  
Peeler.

Perkins.  
Ratliff.  
Real.  
Sturgeon.  
Terrell, Wise.  
Townsend.

Vaughan.  
Ward.  
Warren.  
Watson.  
Weinert.

Absent.

Willacy.

Absent—Excused.

Terrell, McLennan

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## FREE CONFERENCE COMMITTEE REPORT.

Austin, Texas, March 6, 1911.

By Senator Hudspeth

Hon. A. B. Davidson, President of the Senate.

Hon. Sam T. Rayburn, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed by the Senate and House, on House bill No. 142, beg leave to report as follows:

That the Committee strikes out the amendment at the end of Section 4, offered by Senators Willacy and Bryan, and substitutes in lieu thereof Section 6 of the bill finally passed by the House, which is as follows:

"All laws or parts of laws in conflict herewith are hereby repealed; provided, that nothing herein contained shall permit any person to enter on the enclosed or posted premises of another for the purpose of hunting or trapping or otherwise catching or trapping wild animals for their scalp without having first obtained the consent of the owner."

Also strike out of the bill the figures "\$150,000.00" wherever they occur and insert in lieu thereof the figures "\$100,000.00."

Also strike out Section 7 of said bill, which is the emergency clause, and insert in lieu thereof the following:

"And provided further that the provisions of this Act shall not become effective, and the appropriation here-

in made shall not become available until the first day of September, 1912.

DUNN,  
COX of Rockwall,  
LEE,  
HAMILTON, Childress,  
HUMPHREY,  
On the part of the House.  
HUDSPETH,  
JOHNSON,  
ADAMS,  
WATSON,  
WILLACY,  
On the part of the Senate.

The above report was read and adopted.

#### REASONS FOR VOTING.

I vote "nay" upon this Free Conference Committee upon the wolf scalp bill, as I have concluded that the measure, in its present form, is not a good law, hence am voting against same.

TOWNSEND.

#### HOUSE BILL NO 407.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading

House bill No. 407, A bill to be entitled "An Act to amend Chapter 81 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-first Legislature of Texas, entitled 'An Act providing for surveys within this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and waterways, and for either or any of them, to prevent overflows, to procure drainage, and for the improvement of rivers, creeks and streams by levees, or otherwise, to prevent overflows; to provide for the creation of a State levee and drainage board, and the defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as State Levee and Drainage Commissioner, defining his powers and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this Act; and making an appropriation to carry out the provisions of this Act; and declaring an emergency;" stating the primary object of the Act;

authorizing and ordering the necessary survey and other work required to design, plan or mark out upon the ground improvements such as levees, drains, etc., necessary to reclaim for agricultural uses the overflowed and swamp lands and other lands within this State; describing such lands as shall not be surveyed or mapped under this Act; providing for base measurement, bench marks and other reference marks; prohibiting the use of any money herein appropriated for the actual construction of the said improvements; creating a State Levee and Drainage Board, and defining its powers; placing all said work under general supervision of said board; empowering said board to determine at what points said survey shall be made; authorizing said board to make proper division and allotment of money herein appropriated; authorizing said board to publish results of said surveys; empowering said board to approve agreements for co-operation with other branches of the Federal and State Governments; providing for the selection of a State Levee and Drainage Commissioner, and prescribing his powers and duties; authorizing the said Commissioner to employ necessary assistants and incur and authorize other necessary expenses; to formulate and enforce reasonable rules governing the conduct of his official duties; empowering him to confer with other branches of the Federal and State Governments to obtain assistance and solicit co-operation; defining his duties; authorizing the said Commissioner to give technical advice to communities or districts, and prohibiting his acceptance of extra compensation therefor; instructing him to maintain a suitable office within the State Capitol; providing for the payment of a salary and expense of said Commissioner; making an appropriation to carry out the provisions of this Act; and providing for the reimbursement to the State of the money expended under the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—29.

Adams.

Astin.



Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Sturgeon.
Hume.	Terrell, Wise.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.
Meachum.	Willacy.
Murray.	

Nay—1.

Townsend.

Absent—Excused.

Terrell, McLennan.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

Senator Carter, at 12:30 o'clock p. m., moved that the Senate recess until 2:30 o'clock today, which motion was adopted by the following vote:

Yeas—20.

Adams.	Paulus.
Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Greer.	Real.
Hudspeth.	Sturgeon.
Hume.	Townsend.
Johnson.	Watson.
Kauffman.	Weinert.
Murray.	Willacy.

Nays—10.

Cofer.	Meachum.
Collins.	Terrell, Wise.
Lattimore.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.

Absent—Excused.

Terrell, McLennan.

## AFTER RECESS.

The Senate was called to order by President Pro Tem. Hudspeth.

Senator Meachum, who was presiding at the time the Senate recessed, was called to the chair.

## MOTION TO RESCIND VOTE.

Action recurred on the motion by Senator Vaughan to rescind the vote by which a simple resolution, by himself, was tabled at the morning session.

Senator Cofer offered a substitute for the motion, but it was ruled out of order by a point of order by Senator Vaughan.

The motion to rescind was lost by the following vote:

Yeas—9.

Collins.	Real.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
Murray.	

Nays—15.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell, Wise.
Hudspeth.	Watson.
Hume.	Weinert.
McNealus.	Willacy.
Meachum.	

Present—Not Voting.

Carter.	Warren.
Peeler.	

Absent.

Greer.	Paulus.
Kauffman.	

Absent—Excused.

Terrell, McLennan.

## SIMPLE RESOLUTION.

By Senator Cofer:

Whereas, the State of Texas is represented so conspicuously in the United States Senate by Hon. Joseph W. Bailey and Hon. C. A. Culberson, and in a way to deserve the commendation of their constituents; therefore, be it

Resolved, By the Senate of Texas, that the thanks of the Senate are extended to both our Senators, Hon. Jo-

seph W. Bailey and Hon. C. A. Culberson, for their faithfulness as public servants.

RATLIFF,  
PERKINS,  
WILLACY,  
ADAMS,  
COFER,  
HUDSPETH,  
WATSON,  
STURGEON.

The above resolution was read, and Senator Vaughan called for a division of the question.

Pending discussion Senator Mayfield offered the following amendment to the resolution:

Amend the resolution by adding the following:

And we especially endorse Senator Culberson's action in calling the attention of the United States Senate to the fact that \$25,000 had been placed in the appropriation bill for reimbursing Senator Lorimer.

Senator Murray offered the following substitute for the resolution and the amendment:

Be it resolved by the Senate of Texas, That this body hereby tender a vote of confidence in both the senior and junior members of the United States Senate from Texas for their courageous conduct.

### THIRD HOUSE MESSAGE.

Hall of the House of Representatives  
Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 88 and request the appointment of a Free Conference Committee. The following has been appointed on part of the House: Messrs. White, Porter, Gross, Wortham and Hubbard.

Concurs in Senate amendment to House bills 64 and 65.

Adopted the Free Conference Committee report on House bill No. 142.

Concurs in Senate amendments to House bill 38 by the following vote, yeas 98; nays 2.

Concurs in Senate amendments to House bill No. 122 by the following vote, yeas 93, nays 0.

Respectfully,  
BOB BARKER,  
Chief Clerk, House of Representatives.

Senator Willacy moved that the request for a Free Conference Committee on House bill No. 88, be not granted until after the return of Senator Terrell of McLennan.

The motion was adopted.

### MESSAGE FROM THE GOVERNOR.

Executive Office,  
State of Texas.

Austin, Texas, March 6, 1911.

To the Senate and House of Representatives.

My attention has been called to a resolution adopted on the part of the House of Representatives fixing March the eleventh as the date for the sine die adjournment of the Legislature.

The Constitution provides that members of the Legislature shall receive as compensation the sum of five dollars per day for the first sixty days of a Regular Session and two dollars per day thereafter. This meager compensation for the service of our legislators may or may not be unfortunate. The compensation of all public servants in Texas may be, under prevailing conditions, insufficient; but a discussion of this will avail nothing, at least for the present. It is certain that we all have sought public honors and public responsibility with due notice as to the compensation allowed us by the Constitution and laws of the State. The sacrifices we make in rendering public service, in addition to those we suffer in seeking public honors, cannot always be measured in dollars and cents. We must look often for recompense to the satisfaction that comes to a patriot in knowing that he has done his full duty, and, after all, the honors of public station can be measured only, in a true sense, by the devotion and worthy manner in which we discharge our public duty. There is no honor in public office of a real and lasting kind, unless the man who fills it discharges the duties incumbent upon him in a way that will magnify the office which he holds. This is fully illustrated in the parable of the slothful servant. The one who magnified his office by the profitable employment of his trust for his master's benefit was rewarded for his faithfulness, whereas, the slothful servant, who

buried his talent and did nothing to magnify the office, or the trust imposed in him, lost the esteem of his master and was pronounced unworthy of further confidence.

No Legislature of Texas has assembled in recent years with so little demanded of it by the people in the way of legislation. The demand of the Democratic platform is that "the people shall not be annoyed by constant political agitations," but that they should be relieved therefrom in order that they may undisturbed pursue their usual vocations to the end that they may be contented and prosperous under just and equal laws and an intelligent and strict enforcement of them.

The Legislature is earnestly urged to at once consider and pass bills on the following subjects:

1. The Appropriation bill, and a bill to fix the rate of taxation for the next two years.

2. A Joint Resolution submitting a proposed amendment to the Constitution separating the University of Texas and the Agricultural and Mechanical College. The Democratic platform demands, also, that "provision for a liberal and independent income for the State institutions of higher learning should be made." My understanding of the meaning of this clause in the platform is that along with the amendment to be submitted for the separation of the two leading State institutions of learning should be included a proposition clearly authorizing the Legislature, by express warrant in the Constitution, to levy a tax which will afford "a liberal and independent income" for the support of all of the "State institutions of higher learning." According to my view this can not be done except by an amendment to the Constitution. It is not only a demand of the Democratic platform that this be done, but it is evident that adequate provision for them will not be made until the Constitution does clearly provide for it.

3. A bill to revise the new prison laws so as to eliminate the requirements therein for unusual expenditures. If these are not eliminated the Legislature should without delay face the issue and provide the means to carry this law into full effect. Shall the law remain as it is and the officers charged with its

execution be left by the Legislature without means to carry it out? We must not forget, in considering this question, that the estimated increased cost in administering the penitentiary system is more than five hundred thousand dollars. The Legislature only can give relief or provide the funds to meet this expense.

4. A new text-book law should be enacted and provision made for the proper and honest selection of worthy text-books for the use of our children in the public schools of the State. I renew all the suggestions made in my first message to the Legislature on this subject, and in addition suggest that provision should be made that no text-book author, whose books are adopted or used in any school or institution of learning in this State, supported wholly or in part by public funds, shall occupy any place as teacher, instructor, professor, or officer, connected therewith. The text-book law now in effect will expire before the next regular session of the Legislature can pass a new one and give ample time for careful selection of books.

5. A bill for the relief of the Supreme Court should be passed. An excellent measure for this purpose has been under consideration, which has the approval of our chief judicial tribunal, and it amply safeguards the rights of every litigant. The bill for the creating of a board for revising our laws and the court procedure should also be passed. It is a measure of the highest importance to the people.

6. A bill to redistrict the State into Senatorial and Representative districts should be passed without delay. The constitutional mandate on this point reads as follows:

"Sec. 28. The Legislature shall, at its first session after the publication of each United States decennial census, apportion the State into Senatorial and Representative districts, agreeably to the provisions of Sections 25 and 26 of this article; and until the next decennial census, when the first appointment shall be made by the Legislature, the State shall be and it is hereby divided into Senatorial and Representative districts as provided by an ordinance of the convention on that subject."

We should have an honest and fair redistricting of the State, and that it is mandatory on the Legis-

lature to do so at this session is very clear.

The matters above enumerated deserve the immediate and patriotic attention of the Legislature. I know of no substantial public reason for delaying action on them any longer. I appeal to the patriotic impulses of the legislators to cast aside the antagonisms and animosities growing out of the prohibition question and that laws on the subjects named be considered without further delay and passed before the Legislature adjourns.

The Prodigal Son, after wasting his substance in riotous living had to eat the husks, but finally repented and was forgiven. The Legislature is approaching the "husk" stage of its experience, but if bickerings, bitterness and contentions over irrelevant matters are eliminated and the measures to which attention is called passed upon, it is my opinion that the fatted calf will await you on your return to the people from this legislative session.

These things I believe the people expect of you and it would be a great injustice to yourselves to adjourn without doing them. All the matters have been more or less considered and are now in course of completion. In the name of the people I respectfully urge that you complete them before you adjourn.

Respectfully submitted,  
O. B. COLQUITT,  
Governor of Texas.

#### SENATE BILL NO. 80.

Senator Johnson called up

Senate bill No. 80, A bill to be entitled "An Act to amend Section 6d, of Chapter 20, passed by the Regular Sessions of the Thirtieth Legislature and approved May 16, 1907, relating to transfers by purchasers of public free school, university and asylum lands, and declaring an emergency."

With the following House amendments:

Amend Senate bill No. 80 by striking out all the caption after the words "An Act" down to the words "And declaring an emergency," and insert in lieu thereof the following: "To provide that purchasers of free school land in certain counties may transfer same in forty acre tracts or multiples thereof."

On motion of Senator Johnson, the above amendments were concurred in by the following vote:

#### Yeas—28.

Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

#### Absent.

Kauffman. Adams.

#### Absent—Excused.

Terrell, McLennan.

Senator Johnson moved to reconsider the vote by which the amendments were concurred in and lay that motion on the table.

The motion to table prevailed.

#### PENDING BUSINESS—SIMPLE RESOLUTION.

Action recurred on the simple resolution, the amendment and the substitute thereof.

Action recurred on the substitute first, and the same was adopted by the following vote:

#### Yeas—15.

Adams.	Perkins.
Astin.	Ratliff.
Bryan.	Sturgeon.
Cofer.	Terrell, Wise.
Hudspeth.	Ward.
Lattimore.	Watson.
McNealus.	Willacy.
Murray.	

#### Nays—4.

Hume.	Paulus.
Johnson.	Vaughan.

#### Present—Not Voting.

Carter.	Peeler.
Collins.	Real.
Greer.	Townsend.
Mayfield.	Warren.
Meachum.	Weinert.

Absent.

Kauffman.

Absent—Excused.

Terrell, McLennan.

#### REASONS FOR VOTING "NAY."

I vote "nay," because I believe the whole thing is out of order.

PAULUS.

The substitute resolution, coming as it does, being subject to the construction of an effort to disparage the junior Senator without cause; and believing as I do, that under the circumstances the original resolution was proper, I vote "nay" on the substitute. Ordinarily, upon separate resolutions, endorsing each Senator, I should vote "yea."

HUME,  
HUDSPETH.

I changed from "nay" to "yea" merely for the purpose of moving to reconsider.

HUDSPETH.

#### REASONS FOR BEING PRESENT AND NOT VOTING.

For the reason that I consider all such resolutions in this body as being untimely and the consideration thereof a needless waste of the people's time and money, I desire to be marked present and not voting.

WARREN.

Action recurred on the resolution as substituted, and Senator Hudspeth called for a division of the question.

Senator Lattimore moved to table the resolution as substituted, and Senator Watson desired to offer an amendment, but the Chair held that the motion to table had precedence over an amendment or a division of the question.

The motion to table the resolution as substituted was adopted by the following vote:

Yeas—13.

Bryan.  
Johnson.  
Lattimore.

Mayfield.  
Meachum.  
Paulus.

Sturgeon.  
Terrell, Wise.  
Townsend.  
Vaughan.

Ward.  
Warren.  
Willacy.

Nays—9.

Adams.  
Astin.  
Cofer.  
Hudspeth.  
Hume.

McNealus.  
Murray.  
Perkins.  
Watson.

Present—Not Voting.

Carter.  
Collins.

Peeler.  
Real.

Absent.

Greer.  
Kauffman.

Ratliff.  
Weinert.

Absent—Excused.

Terrell, McLennan.

#### REASONS FOR VOTING.

I vote "yea" believing the whole thing to be out of order.

PAULUS.

#### SIMPLE RESOLUTION.

By Senator Cofer:

Whereas, upon the hearing in the U. S. Senate the resolution to admit the Territory of Arizona into the Union it appeared that the Constitution for the proposed new State embraced a provision, providing for the initiative, referendum and recall, and

Whereas, these doctrines are contrary to the teachings of the Democratic party as handed down by the fathers and is contrary to the American idea of representative government and wholly at variance with the teachings of Jefferson and Madison; and,

Whereas, in the consideration of said resolution our Junior Senator, Hon. J. W. Bailey opposed same because of the initiative, referendum and recall feature of said constitution and many other Democratic Senators, while voting for admission of the new State, expressed themselves as opposed to these doctrines, therefore,

Be it Resolved, By the Senate that we endorse the views of Senator J. W. Bailey, and the other De-

mocratic Senators in their opposition to the initiative and referendum and recall and we deprecate any effort made to commit the Democratic party to the Populistic doctrines.

ADAMS.  
COFER,  
HUDSPETH,  
RATLIFF.

Senator Mayfield offered the following amendment to the resolution:

Amend the resolution by adding the following: We also endorse the position of our Junior Senator on his position against State wide prohibition.

Senator Murray made the point of order on the resolution and the amendment that a like resolution had already been voted down and was not in order.

The Chair overruled the point of order.

Senator McNealus moved to table the resolution and the amendment.

Senator Hudspeth called for a division of the question.

Senator Mayfield made the point of order that the division of the question could not be had pending the motion to table both and that the motion to table both the resolution and the amendment was not in order.

The Chair sustained the point of order.

Senator Willacy offered the following substitute for the resolution and amendment:

Strike out the words "against state wide prohibition" and insert the words "in favor of local self government."

The substitute was lost by the following vote:

Yeas—9.

Adams.	Paulus.
Astin.	Watson.
Hudspeth.	Weinert.
Hume.	Willacy.
Meachum.	

Nays—9.

Bryan.	Mayfield.
Cofer.	Perkins.
Collins.	Townsend.
Johnson.	Vaughan.
Lattimore.	

Present—Not Voting.

Carter.	Real.
Greer.	Sturgeon.
McNealus.	Terrell, Wise.
Peeler.	Warren.

Absent.

Kauffman.	Murray.
Ratliff.	Ward.

Absent—Excused.

Terrell, McLennan.

#### REASONS FOR VOTING

For the reason that I consider the presentation of all such resolutions before this body as being untimely and the consideration thereof a needless waste of the people's time and money, I therefore desire to be marked present and not voting.

WARREN.

We have voted nearly all day on similar motions; we have not sent up any motions in which the names of our United States Senators have been used, and all this has no place in our deliberations, and we are opposed to fooling away time in this way. We are opposed to bringing the Bailey question into our deliberations. The people of Texas have honored both of them by electing them, therefore we refuse to vote any more on those questions.

GREER,  
STURGEON,  
MCNEALUS.  
TERRELL, of Wise.

Action recurred on the amendment to the resolution, and the same was adopted by the following vote:

Yeas—10.

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Watson.
Hume.	Weinert.
Meachum.	Willacy.

Nays—8.

Cofer.	Mayfield.
Collins.	Perkins.
Johnson.	Townsend.
Lattimore.	Ward.

## Present—Not Voting.

Carter.	Real.
Greer.	Sturgeon.
McNealus.	Vaughan.
Peeler.	Warren.

## Absent.

Bryan.	Ratliff.
Kauffman.	Terrell, Wise.

## Absent—Excused.

Terrell, McLennan.

## REFUSE TO ADJOURN.

At 5:45 o'clock p. m. Senator Weinert moved that the Senate adjourn until 10 o'clock tomorrow morning.

The motion was lost by the following vote:

## Yeas—6.

Hudspeth.	Paulus.
Hume.	Watson.
McNealus.	Weinert.

## Nays—20.

Adams.	Peeler.
Astin.	Perkins.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Greer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Willacy.

## Absent.

Bryan.	Murray.
Kauffman.	Ratliff.

## Absent—Excused.

Terrell, McLennan.

## PENDING BUSINESS—SIMPLE RESOLUTION.

Action recurred on the resolution, as amended.

Senator Cofer called for a division of the question.

Senator Mayfield moved that the Senate recess until 8:30 o'clock tonight.

The motion was lost.

The division of the resolution was

granted for that part of the resolution relating to Senator Bailey's stand on the initiative, referendum and recall.

That part of the resolution was adopted by the following vote:

## Yeas—14.

Adams.	Paulus.
Astin.	Perkins.
Cofer.	Ratliff.
Hudspeth.	Ward.
Hume.	Watson.
Meachum.	Weinert.
Murray.	Willacy.

## Nays—4.

Collins.	Mayfield.
Johnson.	Vaughan.

## Present—Not Voting.

Carter.	Sturgeon.
Lattimore.	Terrell, Wise.
McNealus.	Townsend.
Peeler.	Warren.
Real.	

## Absent.

Bryan.	Kauffman.
Greer.	

## Absent—Excused.

Terrell, McLennan.

The balance of the resolution relating to state-wide prohibition was lost by the following vote:

## Yeas—10.

Adams.	Murray.
Astin.	Paulus.
Hudspeth.	Watson.
Hume.	Weinert.
Meachum.	Willacy.

## Nays—13.

Carter.	Ratliff.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Warren.
Perkins.	

## Present—Not Voting.

McNealus.	Real.
Peeler.	Ward.

**Absent.**

Bryan.                      Kauffman.  
Greer.

**Absent—Excused.**

Terrell, McLennan.

Morning call concluded.

**SENATE BILL NO. 124.**

On motion of Senator Hudspeth, the pending order of business (Senate bill No. 48) was suspended, and the Senate took up, out of its order, Senate bill No. 124 by the following vote:

**Yeas—22.**

Adams.	Perkins.
Astin.	Ratliff.
Carter.	Real.
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.

**Nays—4.**

Cofer.	Lattimore.
Collins.	Sturgeon.

**Absent.**

Bryan.	Hume.
Greer.	Kauffman.

**Absent—Excused.**

Terrell, McLennan.

The Chair laid before the Senate, on third reading,

Senate bill No. 124, A bill to be entitled "An Act creating the office of State Inspector of Masonry, fixing the term of said office, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining his duties," etc.

The bill was read third time, and passed.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

**FOURTH HOUSE MESSAGE.**

Hall of the House of Representatives.  
Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on Senate bill No. 31.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

**HOUSE BILL NO. 168.**

On motion of Senator McNealus, the pending order of business (Senate bill No. 48) was suspended, and the Senate took up, out of its order, House bill No. 168 by the following vote:

**Yeas—26.**

Adams.	Peeler.
Astin.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Paulus.	

**Absent.**

Bryan.	Murray.
Greer.	Willacy.
Kauffman.	

**Absent—Excused.**

Terrell, McLennan.

The Chair laid before the Senate on third reading.

House bill No. 168, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions as effecting employes of common carriers, religious societies, volunteer firemen and Confederate Veterans."

The bill was read and

Senator McNealus offered the following amendment:

Amend House bill No. 168, page 2, line 23, by striking out the word "employes" and inserting in lieu thereof the following word: "ex-employes."



The amendment was adopted by the following vote:

Yeas—22.

Adams.	Peeler.
Astin.	Perkins.
Cofer.	Ratliff.
Hudspeth.	Real.
Hume.	Sturgeon.
Johnson.	Terrell, Wise.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Paulus.	Willacy.

Nays—4.

Bryan.	Townsend.
Carter.	Vaughan.

Absent.

Collins.	Kauffman.
Greer.	Murray.

Absent—Excused.

Terrell, McLennan.

Senator McNealus offered the following amendment:

Amend the bill, page 1, by inserting just before the words "of common," in line 17 the following: "and ex-employees."

M'NEALUS,  
WATSON.

The amendment was read and adopted by the following vote:

Yeas—27.

Adams.	Peeler.
Astin.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Nays—1.

Bryan.

Absent.

Greer.	Kauffman.
--------	-----------

Absent—Excused.

Terrell, McLennan.

Senator Watson offered the following amendment:

Amend the bill by adding after the words "notary public," page 6, line 10, Section 2, the following:

"Members of any board of any educational institution of this State, member of the Governor's military staff, or officer of the National Guard of this State."

The amendment was lost by the following vote:

Yeas—14.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Perkins.
Hudspeth.	Real.
Hume.	Watson.
Johnson.	Weinert.
McNealus.	Willacy.

Nays—11.

Carter.	Terrell, Wise.
Cofer.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Ward.
Ratliff.	Warren.
Sturgeon.	

Present—Not Voting.

Peeler.

Absent.

Collins.	Kauffman.
Greer.	Paulus.

Absent—Excused.

Terrell, McLennan.

Senator Townsend offered the following amendment:

Amend the bill, on page 2, by striking out all of line 4 on said page.

The amendment was lost by the following vote.

Yeas—4.

Sturgeon.	Townsend.
Terrell, Wise.	Vaughan.

## Nays—22.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Hudspeth.	Real.
Hume.	Ward.
Johnson.	Warren.
Lattimore.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

## Absent.

Collins.	Kauffman.
Greer.	Paulus.

## Absent—Excused.

Terrell, McLennan.

The bill was read third time and passed by the following vote:

## Yeas—18.

Adams.	Meachum.
Astin.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Hudspeth.	Real.
Hume.	Ward.
Johnson.	Watson.
Mayfield.	Weinert.
McNealus.	Willacy.

## Nays—8.

Bryan.	Terrell, Wise.
Lattimore.	Townsend.
Murray.	Vaughan.
Sturgeon.	Warren.

## Absent.

Collins.	Kauffman.
Greer.	Paulus.

## Absent—Excused.

Terrell, McLennan.

Senator McNealus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## RECESS.

At 6:40 o'clock Senator Weinert moved that the Senate recess until 8:30 o'clock tonight.

Senator Murray moved that the Senate adjourn until 10 o'clock tomorrow morning.

Action recurred on the longest time first; the motion to adjourn was lost by the following vote:

## Yeas—8.

Hudspeth.	Peeler.
Hume.	Perkins.
McNealus.	Watson.
Murray.	Weinert.

## Nays—16.

Adams.	Real.
Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Cofer.	Townsend.
Johnson.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Willacy.

## Present—Not Voting.

Astin.

## Absent.

Collins.	Paulus.
Greer.	Ratliff.
Kauffman.	

## Absent—Excused.

Terrell, McLennan.

The motion to recess until 8:30 o'clock tonight was then adopted.

## AFTER RECESS.

## (Night Session.)

The Senate was called to order by President Pro Tem. Hudspeth.

## SENATE BILL NO. 121.

## (By Unanimous Consent.)

The Chair laid before the Senate on third reading,

Senate bill No. 121, A bill to be entitled 'An Act to grant and transfer to the United States government land belonging to the State of Texas, situated on Galveston Island, in Galveston county, Texas, comprising what is known as the Fort San Ja-

into Military Reservation, on which to locate, construct and maintain a military post and fortification, and to grant, cede and transfer to said United States government the tide lands in front of and all future accretions and accumulations to all said lands; and for the cession by the State of Texas to the United States government of jurisdiction over all such lands or the accretions thereto, or the accumulations thereof."

The bill was read third time and passed.

Senator Kauffman moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 291.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 291, A bill to be entitled "An Act to prohibit the taking, catching, killing or destroying any fish in the fresh water streams, lakes, bayous, ponds or pools within this State, by means of dynamite, giant powder or other explosives or by means of poisoning, liming, ditching, muddying, draining or by the use of traps, nets, seines (except minnow seines for catching bait), or by any other means except the ordinary hook and line and trot line; prescribing penalties for its violation, exempting certain counties from the provisions of Section 3 of this Act, repealing Chapter 15 of the General Laws of the Regular Session of the Thirtieth Legislature and Chapter 49 of the General Laws of the Thirty-first Legislature, and all other laws in conflict with the same, and declaring an emergency."

The bill was read third time and passed.

#### HOUSE BILL NO. 372.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

House bill No. 372, A bill to be entitled "An Act to create a more efficient road system for Anderson county, Texas."

The bill was read third time and passed.

#### HOUSE BILL NO. 480.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 480, A bill to be entitled "An Act to create a more efficient road system for Houston county, and declaring an emergency," with engrossed rider.

On motion of Senator Townsend the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill. (See Appendix for committee report.)

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### HOUSE BILL NO. 445.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading

House bill No. 445, A bill to be entitled "An Act to grant a new charter to the city of San Angelo, in Tom Green county, Texas, and to fix the boundaries thereof, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency," with engrossed rider.

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

#### SENATE BILL NO. 285.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 285, A bill to be entitled "An Act providing that the State Board of Embalming shall make annual reports to the State Health Officer and shall pay a certain portion of all fees collected by it into the State Treasury."

The Committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and ordered engrossed.

## HOUSE BILL NO. 496.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 496, A bill to be entitled "An Act creating the Jurisdiction Independent School District in Atascosa county, Texas, and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within the said district; investing the said district with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes only, and declaring an emergency."

(Lieutenant Governor Davidson in the Chair).

The committee report, which provided that the bill be not printed, was adopted.

Bill read a second time, and passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—24.

Adams.	Murray.
Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, Wise.
Johnson.	Townsend.
Kauffman.	Vaughan.
Mayfield.	Ward.
McNealus.	Warren.
Meachum.	Weinert.

## Absent.

Astin.	Sturgeon.
Hume.	Watson.
Lattimore.	Willacy.

## Absent—Excused.

Terrell, McLennan.

The bill was read third time and passed by the following vote:

## Yeas—26.

Adams.	Astin.
--------	--------

Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Sturgeon.
Johnson.	Terrell, Wise.
Kauffman.	Townsend.
Mayfield.	Vaughan.
McNealus.	Ward.
Meachum.	Warren.
Murray.	Weinert.

## Present—Not Voting.

Hume.

## Absent.

Lattimore.	Willacy.
Watson.	

## Absent—Excused.

Terrell, McLennan.

Senator Murray moved to reconsider the vote by which the bill was passed and lay the motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 196.

(By Unanimous Consent.)

The Chair laid before the Senate on third reading,

Senate bill No. 196, A bill to be entitled "An Act to amend the Revised Civil Statutes of the State of Texas adopted by the Regular Session of the Twenty-fourth Legislature, Title 58, Chapter 1, Article 3033, providing the minimum par value of shares of stock in fire insurance companies shall not be less than ten dollars per share."

The bill was read third time and passed by the following vote:

## Yeas—26.

Adams.	Murray.
Astin.	Paulus.
Bryan.	Peeler.
Carter.	Perkins.
Cofer.	Ratliff.
Collins.	Real.
Greer.	Terrell, Wise.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Mayfield.	Warren.
McNealus.	Watson.
Meachum.	Weinert.

## Present—Not Voting.

Hume.

## Absent.

Lattimore.  
Sturgeon.

Willacy.

## Absent—Excused.

Terrell, McLennan.

Senator Real moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 476.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

House bill No. 476, A bill to be entitled "An Act to amend Section 1, of an Act creating and incorporating the Martindale Independent School District, enacted by the Thirty-first Legislature (Regular Session, Chapter 28, page 315, Special Laws of Texas), and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

## Yeas—28.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.

## Absent.

Sturgeon.

Willacy.

## Absent—Excused.

Terrell, McLennan.

The bill was read third time and passed by the following vote:

## Yeas—28.

Adams.	Meachum.
Astin.	Murray.
Bryan.	Paulus.
Carter.	Peeler.
Cofer.	Perkins.
Collins.	Ratliff.
Greer.	Real.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Johnson.	Vaughan.
Kauffman.	Ward.
Lattimore.	Warren.
Mayfield.	Watson.
McNealus.	Weinert.

## Absent.

Sturgeon.

Willacy.

## Absent—Excused.

Terrell, McLennan.

## SENATE BILL NO. 251.

(By Unanimous Consent.)

The Chair laid before the Senate on Second reading

Senate bill No. 251, A bill to be entitled "An Act to amend Article 642, Title 21, Chapter 2, of the Revised Statutes of the State of Texas, relating to the purposes for which private corporations may be formed, and to add thereto subdivision 17a, authorizing the organization of corporations for the purpose of contracting and repairing houses, bridges and other structures."

The bill was read, and Senator Ward offered the following amendment:

Amend the bill by adding after the word "structure" in line 17, page 1, the following:

Section 3. The fact that there is now no sufficient general law to authorize the organization of corporations for the purpose of contracting for bridges and other structures in this State, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take

effect after its pasage; and it is so enacted.

The amendment was read and lost.

Senator Ward moved to rescind the vote by which the above amendment was lost. The motion was adopted by the following vote:

Yeas—22.

Astin.	Peeler.
Bryan.	Perkins.
Carter.	Ratliff.
Cofer.	Real.
Collins.	Sturgeon.
Hudspeth.	Terrell, Wise.
Hume.	Townsend.
Kauffman.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Watson.

Nays—5.

Greer.	Paulus.
McNealus.	Weinert.
Murray.	

Absent.

Adams.	Willacy.
Johnson.	

Absent—Excused.

Terrell, McLennan.

Action then recurred on the amendment, which was read and adopted by the following vote:

Yeas—21.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Collins.	Terrell, Wise.
Hudspeth.	Townsend.
Hume.	Vaughan.
Lattimore.	Ward.
Mayfield.	Warren.
Meachum.	Watson.
Peeler.	

Nays—5.

Greer.	Paulus.
McNealus.	Weinert.
Murray.	

Absent.

Adams.	Kauffman.
Johnson.	Willacy.

Absent—Excused.

Terrell, McLennan.

Senator Ward offered the following amendment, which was read and adopted:

Amend the caption of the bill by adding after the word "structure" in line 11, page 1, the following words: "and declaring an emergency."

(Senator Watson in the Chair).

The bill having been read a second time and the Senate refused to order same engrossed by the following vote, which killed the bill:

Yeas—12.

Adams.	Peeler.
Astin.	Real.
Bryan.	Sturgeon.
Carter.	Terrell, Wise.
Cofer.	Ward.
Kauffman.	Warren.

Nays—13.

Collins.	Paulus.
Greer.	Ratliff.
Johnson.	Townsend.
Lattimore.	Vaughan.
Mayfield.	Watson.
McNealus.	Weinert.
Murray.	

Present—Not Voting.

Hume.

Absent.

Hudspeth.	Perkins.
Meachum.	Willacy.

Absent—Excused.

Terrell, McLennan.

SENATE BILL NO. 134.

(By Unanimous Consent.)

The Chair laid before the Senate on second reading,

Senate bill No. 134, A bill to be entitled "An Act to amend Article 2967 of the Revised Civil Statutes of the State of Texas, as enacted in the year 1895, so as to make the separate property of the wife, the rents and revenues derived from the property,

whether real or personal, granted to the wife by will, deed, or otherwise, with the provision that the rents and revenues therefrom shall be her separate property and to exempt the same from the management and control of the husband, and from debts contracted by him."

There being a favorable majority Committee report and no adverse minority Committee report, Senator Astin moved to adopt the majority (favorable) Committee report, which motion prevailed.

Senator Vaughn offered the following amendment:

Amend the bill by striking out all after the word "property," in line 26, page 1, down to and including line 4, page 2, and inserting in lieu thereof the following: "The personal earnings of the wife during coverture, and the rents and revenues of her separate property shall be the separate property of the wife, and such personal earning, rents and revenues shall be under her sole management and control and shall not be subject to the payment of any debts contracted by the husband."

Senator Lattimore offered the following amendment to the amendment.

Amend the amendment by adding after the word "husband" in the last line of the amendment the following: "except such debt be for the benefit of the separate property of said wife."

The amendment to the amendment was adopted.

#### BILLS SIGNED.

The Chair, Lieutenant Governor Davidson, gave notice of signing, and did sign in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 26, A bill to be entitled "An Act to provide additional compensation to all judges of district courts, district attorneys of the State of Texas, and to judges of the criminal district court of Harris and Galveston counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

Senate bill No. 192, A bill to be entitled "An Act to amend Section 20 of Chapter 411, Special Laws of the Acts of the Twenty-ninth Legislature

of the State of Texas, entitled an Act to create a more efficient road system for Dallas county, Texas, fixing the duties and powers of the commissioners court of said county relative to roads and bridges, to authorize the commissioners court of Dallas county to issue bonds for the purposes of building, constructing and repairing roads and bridges in said county, and prescribing limitations upon the exercise of such power and declaring an emergency."

Senate bill No. 191, A bill to be entitled "An Act to authorize the Texas Traction Company, a corporation, to purchase the Denison & Sherman Railway Company, including its lines of railway in the cities of Denison and Sherman, Grayson county, Texas, as well as its inter-urban railway connecting said cities, together with all franchises and rights possessed, owned, and enjoyed by it, the Denison & Sherman Railway Company, and authorizing the said Denison & Sherman Railway Company, in case of said sale and purchase, to convey, assign and deliver its properties, franchises and rights to the Texas Traction Company, to be owned and operated under its charter as part of its own lines, and to authorize the Denison & Sherman Railway Company to convert a part of its capital stock into second mortgage bonds, and to authorize the Denison & Sherman Railway Company to execute a new mortgage to take up the outstanding mortgage for \$50,000.00 and to authorize the Texas Traction Company to mortgage the property so acquired, all to be sub-liens."

(Signed by President Pro Tem. Hudspeth.)

Senate bill No. 254, A bill to be entitled "An Act to grant a charter for the city of Terrell, in Kaufman county, Texas, validating the Acts of the said city as it heretofore existed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 12, "An Act to provide for the suspension of sentence in certain cases of conviction of felony for first offenses, upon the recommendation of the jury, and for the submission of the issue to the jury by the court; to provide the

duration of suspension of sentence, and for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony, and for cumulating punishment in such cases, and providing for an emergency."

#### ADJOURNMENT.

On motion of Senator Sturgeon, the Senate, at 10:45 o'clock p. m., adjourned until 10 o'clock tomorrow morning, by the following vote:

Yeas—17.

Astin.	Perkins.
Bryan.	Ratliff.
Carter.	Real.
Cofer.	Sturgeon.
Greer.	Terrell, Wise.
Hume.	Townsend.
McNealus.	Ward.
Murray.	Weinert.
Peeler.	

Nays—8.

Adams.	Lattimore.
Collins.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.

Absent.

Hudspeth.	Paulus.
Mayfield.	Willacy.
Meachum.	

Absent—Excused.

Terrell, McLennan.

#### APPENDIX.

##### COMMITTEE REPORTS.

Austin, Texas, March 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

House Concurrent Resolution No. 27, "Be it resolved by the House of Representatives, the Senate concurring, that the regular session of the Thirty-second Legislature shall stand adjourned sine die at 12 o'clock noon, Monday, March 11, 1911,"

Have had the same under consideration, and beg leave to report it back

to the Senate, with the recommendation that it do pass and be not printed.  
COFER, Acting Chairman.

(Floor Report.)

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 480, A bill to be entitled, "An Act to create a more efficient road system for Houston county, and declaring an emergency,"

Have had the same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Weinert, Murray, Johnson, Kauffman, Ratliff, Hume.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 355, A bill to be entitled "An Act to create a more efficient road system for Jack county, Texas, and making the county commissioners of said county ex officio road overseers and prescribing their duties as such and providing for the compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county; and providing for a change in time of making commissioners' annual report to the court, and relieving road hands from the performance of road work by the payment of the sum of three dollars; and providing further, making this law cumulative of the general laws and in case of conflict this act to govern as to Jack county, Texas, and fixing a penalty for the violation of this Act, and repealing all laws in conflict with this Act, and declaring an emergency,"

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Greer, Chairman; Perkins, Ratliff, Weinert, Paulus.



Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

Senate bill No. 100, A bill to be entitled "An Act making appropriations for the support of the State Government for two years, beginning September 1, 1911, and ending August 31, 1913, and for other purposes,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute do pass in lieu thereof, and be not printed in the Journal.

WILLACY, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Concurrent Resolution No. 12, A concurrent resolution providing for the creation of a Commission to investigate and report back to the next session of the Legislature upon the question of wharf and terminal facilities at all Texas ports, to investigate and report the ownership of wharves and terminals, the charges and discrimination made by same, the advisability of purchasing wharves and terminals by municipalities, and the means of purchasing same, and making an appropriation to carry out the provisions of this resolution,

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 121, A bill to be entitled "An Act to grant and transfer to the United States Government land belonging to the State of Texas, situated on Galveston Island, in Galveston county, Texas, comprising what is known as the Fort San Jacinto Military Reservation, on which to locate,

construct and maintain a military

post and fortification, and to grant, cede and transfer to said United States Government the tide lands in front of and all future accretions and accumulations to all said lands; and for the cession by the State of Texas to the United States Government of jurisdiction over all such lands or the accretions thereto, or the accumulations thereof,"

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 124, A bill to be entitled "An Act creating the office of State Inspector of Masonry, fixing the term of said office, prescribing the qualifications and compensation of the incumbent thereof, and fixing and defining his duties," etc.

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 340, A bill to be entitled "An Act to regulate the time for holding the district courts in the various counties composing the Fifth Judicial District of Texas, so as to give Titus county one more week and validating process and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,

Austin, Texas, March 4, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate Joint Resolution No. 8, A joint resolution proposing to amend Sections 10, 11 and 13 of Article 7 of the Constitution of the State of Texas relating to the University of Texas, and to amend said Article 7 of the Constitution by adding thereto

a new section to be known as Section 13a; prescribing the character of securities in which the permanent University fund may be invested; separating the Agricultural and Mechanical College of Texas from the University of Texas, and providing for the levy and collection of a tax for the use of said Agricultural and Mechanical College of Texas.

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,  
Austin, Texas, March 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 209, A bill to be entitled "An Act to amend Chapter 116, General Laws of the State of Texas passed by the Thirtieth Legislature at its Regular Session, approved April 16, 1911, entitled "An Act to prohibit the selling, giving or delivery of any spirituous, vinous, malt or intoxicating liquors to any person under the age of twenty-one years without the written consent of the parent or guardian of such minor or some one standing in the place or stead of such parent or guardian, and to prohibit the causing of or being interested in any such sale, gift or delivery, and to prohibit the agents of any express company or common carrier from knowingly making such sale, gift or delivery or causing the same to be done or being interested therein, and providing penalties therefor, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman

Committee Room,  
Austin, Texas, March 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 78, A bill to be entitled "An Act to amend Sections 2, 6 and 7 of Chapter 96 of the General Laws of the State of Texas, passed by the Thirtieth Legislature (1907) at its regular session, entitled "An Act to regulate the running of automobiles and motor vehicles, and the requiring of the owner of such machine to register his name and the

82-8.

number of his machine with the county clerk of the county in which he resides, for the violation of which a penalty is provided,' and to fix a maximum speed limit on circular or elliptical race tracks, courses or speedways providing a punishment for violation, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,  
Austin, Texas, March 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 317, A bill to be entitled "An Act to provide for the adoption of a system of uniform text-books in this State and the appointment of a text-book board for such purpose; to authorize the readoption of text-books now in use, and the selection and adoption of other books, and for the appointment of boards in the future to keep the books adopted revised and up to date. To prohibit lobbying before the text-book board by legal or special representatives of authors or publishers; to prescribe rules and regulations for the board in entering into contracts on behalf of the State; to prescribe penalties for violation of the provisions of this Act; to make an appropriation to carry into effect the provisions hereof, and declaring an emergency."

And find the same correctly engrossed.

COFER, Chairman.

Committee Room,  
Austin, Texas, March 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 191, A bill to be entitled, "An Act to authorize the Texas Traction Company, a corporation, to purchase the Denison and Sherman Railway Company, a corporation, and to acquire, own maintain and operate the properties now owned by the said Denison and Sherman Railway Company, including its lines of railway in the cities of Denison and Sherman, Grayson county, Texas, as well as its Interurban Railway connecting said

cities, together with all franchises and rights possessed, owned and enjoyed by it, the Denison and Sherman Railway Company, and authorizing the said Denison and Sherman Railway Company, in case of said sale and purchase, to convey, assign and deliver its properties, franchises and rights to the Texas Traction Company, to be owned and operated under its charter as part of its own lines, and to authorize the Denison and Sherman Railway Company to convert a part of its capital stock into second mortgage bonds, and to authorize the Denison and Sherman Railway Company to execute a new mortgage to take up the outstanding mortgage for \$50,000.00, and to authorize the Texas Traction Company to mortgage the property so acquired, all to be subject to existing mortgage and liens."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 141, A bill to be entitled "An Act to reorganize the Second and Fourth Judicial Districts; and to create the Seventy-first Judicial District, of the State of Texas; and to fix a time of holding courts in said districts, and to fix the jurisdiction of the court for said Seventy-first Judicial District; and to provide for the appointment of a judge of said Seventy-first Judicial District; and to repeal all laws in conflict herewith, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 222, A bill to be entitled "An Act to create the South Park Independent School District, known now as Common School Dis-

trict No. 6, in Jefferson county, Texas; to provide for the election of trustees, for the raising of revenue, issuing bonds, building and maintaining school houses, maintaining public free schools declaring valid an issue of bonds, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 332, A bill to be entitled "An Act to amend Section 26 of a special Act passed at the Regular Session of the Thirtieth Legislature of the State of Texas, entitled 'An Act to incorporate the city of Tyler, in Smith county, Texas, and to define its boundaries and provide for its government and the management of its affairs,' approved April 18, 1907, amending said Section 26 so as to provide that the aggregate amount of bonds issued by said city for all purposes authorized by law, including the bonded indebtedness of said city, existing prior to the passage of this Act, shall at no time exceed the sum of \$200,000.00, and the sum of \$50,000.00 additional, such additional sum of \$50,000.00 to be issued only for the purpose of erecting or repairing public free school buildings of said city, and in other respects re-enacting said Section 26, providing for the government of said city and the management of its affairs, authorizing the city council of said city to borrow money on the credit of the city and to issue bonds therefor and provide for their payment; prescribing the rate of interest on such bonds and for the investment of the sinking funds of the bonds of said city, for funding of the indebtedness of said city, and prescribing the powers of the city council of said city. Whereas, due notice has been given and published by the city of Tyler, Texas, of its intention to apply to this Legislature for the enactment of this Act, in compliance with Section 57 of Article 3 of the Constitution of this State and the laws of this state, therefore,"

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 3, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 142 "An Act to diminish the civil Jurisdiction of the county court of Harrison county, to conform to the Jurisdiction of the district court thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 192, A bill to be entitled "An Act to amend Section 20 of Chapter 41, Special Laws of the Acts of the Twenty-ninth Legislature of the State of Texas, entitled an Act to create a more efficient road system for Dallas county, Texas; fixing the duties and powers of the commissioners court of said county, relative to roads and bridges, to authorize the commissioners court of Dallas county to issue bonds; for the purpose of building, constructing and repairing roads and bridges, in said county, and prescribing limitations upon the exercise of such power and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 26, A bill to be entitled "An Act to provide additional

compensation to all judges of the district courts, district attorneys of the State of Texas, and to the judges of the criminal district court of Harris and Galveston counties, by allowing compensation for actual and necessary expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

And find it correctly enrolled, and have this day, at 11 o'clock a. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Report,

Austin, Texas, March, 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

House bill No. 202, A bill to be entitled "An Act to amend Article 3232, Title 62, Chapter 12 of the Revised Civil Statutes, relating to fees of jurors in civil cases, including the same and declaring an emergency,"

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WARD, Chairman.

(Floor Report)

Austin, Texas, March, 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

Senate bill No. 361, A bill to be entitled, "An Act to authorize the city of Austin to enter into certain contracts and to transfer or lease certain of its property, property rights and franchises, for the purpose of securing for said city the construction of a dam across the Colorado river at or near said city, in order to secure a more economical and satisfactory water, light and power system, for the use of the people of said city, repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Meachum, Chairman; McNealus, Hume, Hudspeth, Peeler, Vaughan, Collins, Lattimore.

## (Floor Report)

Austin, Texas, March, 6, 1911.  
Hon. A. B. Davidson, President of the Senate.

We, your Committee on Towns and City Corporations, to whom was referred

House bill No. 577, A bill to be entitled "An Act to grant a special charter to the city of Taylor, Texas, to provide a commission form of government; to define its powers and prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to Senate, with the recommendation that it do pass, and be not printed.

Meachum, Chairman; McNealus, Lattimore, Collins, Perkins, Peeler, Hudspeth, Hume, Kauffman, Vaughan.

## Committee Room.

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judiciary No. 1, to whom was referred

House bill No. 343, A bill to be entitled "An Act to amend Article 1537, Chapter 2, Title 32, of the Revised Civil Statutes of the State of Texas, 1895, defining the term 'resident,' in reference to the power and duty of the commissioners' court to provide for the support of paupers, and such idiots and lunatics as cannot be admitted into the lunatics asylum, residents of their county, who are unable to support themselves,"

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WARD, Chairman.

## (Floor Report.)

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 357, A bill to be entitled "An Act to validate the organization of Prairie View Common School District No. 13, in Uvalde

county, Texas, and providing that no person or property within said District No. 13 shall be relieved or released from any existing debt or liability,"

Have had same under consideration and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

Perkins, Chairman; Ratliff, Weinert, Real, Ward Astin, Watson, Hume, Collins, Warren, Paulus.

## (Floor Report.)

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 360, A bill to be entitled "An Act to amend Section 1 of Chapter 24 of the General Laws of the Twenty-fifth Legislature of the State of Texas, being entitled 'An Act to create a more efficient road system for Travis county, in the State of Texas, prescribing certain duties of road commissioner relating to public roads of Travis county, and fixing salary of road commissioner,'"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and be not printed.

Greer, Chairman; Perkins, Johnson, Paulus, Weinert.

## (Floor Report.)

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: We, your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 356, A bill to be entitled "An Act to create a more efficient road system for Hardin county, Texas, making county commissioners of said county ex officio road commissioners and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for working county convicts on the public roads of said county, and for providing for officers' fees and rewards and penalties for said convicts,

and rewards for the capture of escaped convicts, and to provide for the manner and training and maintenance of hedges along all public roads and to provide for the summoning of teams for road work, and for allowances for time of road service for the same, and fixing a penalty herewith, and declaring an emergency,"

Beg leave to report that we have had same under consideration and recommend that it do pass, and be not printed.

Greer, Chairman; Ratliff, Perkins, Johnson, Paulus, Weinert.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 12, A bill to be entitled "An Act to provide for the suspension of sentence in certain cases of conviction of felony for first offenses, upon recommendation of the jury, and for the submission of the issue to the jury by the court; to provide the duration of suspension of sentence, and for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony, and for cumulating punishment in such cases, and providing for an emergency,"

And find it correctly enrolled, and have this day, at 5:40 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

Committee Room,

Austin, Texas, March 6, 1911.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 254, A bill to be entitled "An Act to grant a charter for the city of Terrell in Kaufman county, Texas, validating the acts of the said city as it heretofore existed, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find it correctly enrolled, and have this day, at 5:40 o'clock p. m., presented same to the Governor for his approval.

RATLIFF, Chairman.

## PETITIONS AND MEMORIALS.

By Senator Collins:

Petition numerously signed by citizens of Tyler county urging support and passage of the following Farmers' Union measures:

House bill No. 99 and Senate bill No. 23.

House bill No. 32 and Senate bill No. 46.

House bill No. 124 and Senate bill No. 82.

By Senator Terrell of Wise:

Petition numerously signed by citizens of his district urging the Legislature to pass some just amendment to the I. & G. N. bill so that railroad building may proceed in Texas.

By Senator Johnson:

Petition numerously signed by citizens of Amarillo calling attention to House bill No. 150, and asking that same be opposed.

By Senator Adams:

Telegram numerously signed by citizens of Brownwood protesting against the passage of the optometry bill.

By Senator Ratliff:

Telegram from Cooper, Texas, reading as follows:

"If a successor is to be selected for Senator Bailey, Delta county solidly endorses Hon. Morris Sheppard; use every honorable means to secure his election.

"James A. Smith, J. L. Young, J. T. Rountree, Newman Phillips, H. E. Cabeen, S. T. Townsend, E. A. Watson, G. J. Cox, J. J. Thornton, D. B. Laine, and many others."

By Senator Ratliff.

Petition numerously signed by citizens of the first Congressional District expressing satisfaction with the present status of that district and opposing any legislative change.

## THIRTY-EIGHTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, March 7, 1911.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Davidson.

Roll call, quorum being present.